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EXAMINER

ANYA, CHARLES E

ART UNIT

PAPER NUMBER

2126

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/272,922

Applicant(s)

LLOYD ET AL.

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

- 1. Claim 7 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.**

Claim 7 is objected to because of the following informalities:

Claim 7 includes the phrase "said means for recovering and processing". The "recovering" word in the phrase seems to be a typing error. For the purpose of this office action the Examiner would assume that the phrase reads as follows; "said means for receiving and processing".

Claim Rejections - 35 USC § 112

- 2. The following is a quotation of the second paragraph of 35 U.S.C. 112:**

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9, 15, 17, 28, 29, 37, 40, 56, 60, 62, 64 – 66, 68, 69, 70 and 71 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitations "said input" and "said signal" in lines 8 and 9 respectively. There is insufficient antecedent basis for these limitations in the claim.

For the purpose of this office action the Examiner would interpret the limitations as “an input” and “said input” respectively.

Claims 15 and 17 recites the limitations “said dedicated application” and “said received formatted protocol” in lines 5 and 9 – 10 respectively. There is insufficient antecedent basis for these limitations in the claims. For the purpose of this office action the Examiner would interpret the limitations as “said dedicated application interface” and “said formatted protocol signal” respectively.

Claims 28 and 29 recites the limitations “said server” in lines 8 and 10 respectively. There is insufficient antecedent basis for this limitation in the claims. For the purpose of this office action the Examiner would interpret the limitation as “said interface”.

Claim 37 recites the limitation “said transaction” in line 11. There is insufficient antecedent basis for this limitation in the claim. For the purpose of this office action the Examiner would interpret the limitation as “said input transaction”.

Claim 56 recites the limitation “said vendor module” in line 4. There is insufficient antecedent basis for this limitation in the claim. For the purpose of this office action the Examiner would interpret the limitation as “said vendor service module”.

Claims 60, 62, 64 and 65 recites the limitations “said received transaction”, and “said formatted transaction” and “said receiving transaction” in lines 4, 5, 7, 17, 18 and 20 of page 29 and lines 8, 9, 11 of page 30. There is insufficient antecedent basis for these limitations in the claims. For the purpose of this office action the Examiner would interpret the limitations as “said transaction”.

Claim 66 recites the limitation "said user/service network" in line 14. There is insufficient antecedent basis for this limitation in the claim. For the purpose of this office action the Examiner would interpret the limitation as "said seamless user/service network".

The Applicant recites "The method of establishing a time reservation network of claim 40" in claim 40, "The data structure of claim 40" in claim 68, "The data structure of claim 40" in claim 69, "The data structure of claim 40" in claim 70 and "The data structure of claim 40" in claim 71. These are inappropriate dependencies. For the purpose of this office action the Examiner would interpret the limitations as follows "The method of establishing a time reservation network of claim 39", "The data structure of claim 67", "The data structure of claim 67", "The data structure of claim 67" and "The data structure of claim 67" respectively.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 67 – 71 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 67 – 71 are data, but not data structure per se and the descriptive materials does not exhibit any functional interrelationship and therefore, does not constitute a statutory process, machine or manufacture.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 8, 25, 26, 30 – 33, 36, 47 – 59 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 5,732,398 to Tagawa.

As to claim 1, Tagawa teaches a Seamless User/service Reservation Network (Figure 2A Col. 8 Ln. 51 – 67, Col. 9 Ln. 1 – 33), means for generating a User Input (Kiosk 20, 50, 54, 60 Col. 8 Ln. 16 – 50, Col. 9 Ln. 1 – 45), means for generating a Vendor Service Input (Visitor Attraction Suppliers 130, Computer Reservation Systems 136 etc. Col. 10 Ln. 17 – 41) and means for receiving and processing the user and vendor service inputs (Regional Reservation Center 100 Col. 9 Ln. 10 – 33, Col. 10 Ln. 7 – 41).

As to claim 2, Tagawa teaches the means for generating a user input to include a Graphical User Interface (Touch-sensitive Monitor and Screen 24 Col. 8 Ln. 27 – 29).

As to claim 3, Tagawa teaches the means for generating a user input to include a Networked based User Interface (Internet 108 Col. 9 Ln. 34 – 65).

As to claim 4, Tagawa teaches the means for generating a user input that include a Dedicated Application Interface (Kiosk 20, 50, 54, 60 Col. 8 Ln. 16 – 50, Col. 9 Ln. 1 – 45).

As to claim 5, Tagawa teaches the means for generating a vendor service input to include a single vendor connection (Airlines reservation Systems 106 Col. 10 Ln. 29 – 41).

As to claim 6, Tagawa teaches the means for generating a vendor service input to include a multiple vendor Network (Visitor Attraction Suppliers 130, Computer Reservation Systems 136 etc. Col. 10 Ln. 17 – 41).

As to claim 7, Tagawa teaches means for receiving and processing the user and vendor service inputs that include a multiple process interface module (Regional Reservation Center 100, File Server 112 Col. 9 Ln. 10 – 33, Col. 10 Ln. 7 – 41: NOTE: Although multiple process module is not explicitly taught, the file server include multiple process module that control the hardware, agents terminals, accounting system and storing, updating and fetching of information in the inventories (Col. 10 Ln. 17 – 41).

As to claim 8, Tagawa teaches the computer user/service network as a Golf Tee Time Reservation Network (“...golf reservations (tee times)...” Col. 18 Ln. 13 – 31).

As to claim 25, claim 7 covers claim 25 except for a user input interface, a vendor service interface, and connecting the user input and vendor service interface to facilitate transfer of data.

Tagawa teaches a User Input Interface (“...regional reservation center...” Col. 18 Ln. 13 – 31), a Vendor Service Interface (“...regional reservation center...” Col. 18 Ln. 13 – 31)

Art Unit: 2126

and connecting the user input and vendor service interface to facilitate transfer of data (Col. 18 Ln. 13 – 31).

As to claim 26, Tagawa teaches the user input interface as a server (File Server 112 Col. 10 Ln. 17 – 41).

As to claim 30, Tagawa teaches an Information Interface (Local Visitor Attraction Inventory 120, Airline Inventory 122 etc. Col. 10 Ln. 13 – 29).

As to claims 31 – 33, see the rejection of claims 30, 26 and 27 respectively.

As to claim 36, Tagawa teaches the interface as processing and receiving transaction associated with a golf tee time reservation system (“...tee times...” Col. 18 Ln. 13 – 41).

As to claim 47, see the rejection of claim 1.

As to claim 48, Tagawa teaches the step of establishing a user input module that includes multiple users (Kiosk 20, 50, 54, and 60 Col. 8 Ln. 15 – 67, Col. 9 Ln. 1 – 33), utilizing a standardized protocol for all user input transaction (Internet 108 Col. 9 Ln. 55 – 65, Col. 10 Ln. 10 – 17) and establishing a communication link (Communication Link 52, 56, 62 and 70 Col. 9 Ln. 1 – 33).

As to claim 49, Tagawa teaches the step of establishing an interface module that includes establishing a communication link with the user input module (Col. 9 Ln. 1 – 33), establishing a communication link with the vendor service module (Col. 10 Ln. 17 – 41) and establishing a processing servers to facilitate communications (File Server 112 Col. 10 Ln. 17 – 41).

As to claim 50, claim 48 covers claims 50 except for the step of establishing a vendor service module that includes establishing multiple vendor inputs and establishing a communication link with the interface module.

Tagawa teaches the step of establishing a vendor service module that includes establishing multiple vendor inputs (Airline Reservation Systems 106, Hotel Reservation Systems 138 etc. Col. 10 Ln. 17 – 41) and establishing a communication link with the interface module (Col. 10 Ln. 10 – 17).

As to claim 51, claims 48 and 49 covers claim 51.

As to claims 52 and 53, see the rejection of claims 48 and 8 respectively.

As to claim 54, claims 50 covers claim 54 except for establishing connection between a vendor service module and an interface module.

Tagawa teaches establishing connection between a vendor service module and an interface module (Col. 10 Ln. 29 – 41).

As to claim 55, see the rejection of claim 50.

As to claim 56, Tagawa teaches the vendor service module that facilitates communications to a golf tee time reservation network (“...tee times...” Col. 18 Ln. 13 – 31).

As to claim 57, claim 49 covers claim 57 except for establishing an interface module that connects a user input module and a vendor service module.

Tagawa teaches establishing an interface module that connects a user input module and a vendor service module (Col. 18 Ln. 13 – 31).

Art Unit: 2126

As to claim 58, Tagawa teaches establishing an informational database (local visitor attraction inventory 120, airline inventory 126 etc. Col. 10 Ln. 17 – 29).

As to claim 59, Tagawa teaches the interface module that facilitates communications in a golf tee time reservation network ("...tee times..." Col. 18 Ln. 13 – 31).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,732,398 to Tagawa in view of U.S. Pat. No. 5,832,451 to Flake et al.

As to claim 19, Tagawa teaches Input Terminal (Computer Reservation Systems 136 Col. 10 Ln. 17 – 41).

Flake teaches a Vendor Service Input Device (TIA 15/System 10 Col. 3 Ln. 16 – 41), a Processor (Processor 15 Col. 3 Ln. 16 – 41), a Formatted Protocol (Col. 3 Ln. 35 – 41) and although output terminal is not explicitly taught the formatted protocol is transmitted from the processor since it reaches the travel agent (Col. 3 Ln. 35 – 41). It would have been obvious to apply the teaching of Flake to the system of Tagawa. One would have

Art Unit: 2126

been motivated to make such modifications to provide service information in one format (Col. 3 Ln. 35 – 41).

As to claim 20, Flake teaches a Single Reservation System (“...one or more...” Col. 3 Ln. 16 – 34). It would have been obvious to apply the teaching of Flake to the system of Tagawa. One would have been motivated make such a modification to provide inventory information to an automated travel system (Col. 3 Ln. 7 – 34).

As to claims 21 and 22, see the rejection of claims 20 and 19 respectively.

As to claim 23, see the rejection of claim 19.

As to claim 24, Tagawa as modified teaches a (“...tee times...” Col. 18 Ln. 13 – 31).

Claims 37 – 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. Re. 36,346 to Germain.

As to claim 37, Germain teaches a Time Reservation Network (“...tee time reservation mode...” Col. 10 Ln. 30 – 67, Col. 11 Ln. 47 – 67, Col. 12 Ln. 1 – 8), receiving an input transaction (Step 142, Step 144, Step 146 Step 148 Col. 11 Ln. 47 – 67), processing the input transaction (Step 150 Col. 11 Ln. 47 – 67, Col. 12 Ln. 1 – 8) and establishing a time reservation (Step 154 Col. 12 Ln. 1 – 8). Although using a computer processor is not explicitly taught it is would be obvious to include a computer processor in the “system” that interprets/executes user input and communicate with the reservation database.

As to claim 38, Germain teaches displaying an input screen to receive the input transaction (User Interface 14 Col. 11 Ln. 47 – 67).

As to claim 39, Germain teaches receiving a confirmation of the time reservation (Step 154 Col. 12 Ln. 1 – 8).

As to claim 40, Although displaying the confirmation is not explicitly taught it would have been obvious to include this limitation so that the user could view the confirmation on screen before printing.

As to claim 41, see the rejection of claim 37.

Claims 9 – 17, 27 – 29, 34, 35, 42 – 46, 60 – 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. Re. 36,346 to Germain in view of U.S. Pat. No. 5, 732,398 to Tagawa.

As to claim 42, claim 37 covers claim 42 except for a second computer processor and a third computer processor.

Tagawa teaches a Second Computer Processor (“...regional reservation center...” Col. 18 Ln. 13 – 47: NOTE: Regional reservation center includes processor(s)) and a Third Computer Processor (Vendor 141 Col. 18 Ln. 13 – 47: NOTE: Vendor system includes processor(s)). It would have been obvious to apply the teaching of Tagawa to the system of Germain. One would have been motivated to such modifications to provide execution services/products for the kiosk (Col. 18 Ln. 13 – 47).

As to claim 43, see the rejection of claims 38 and 42.

As to claim 44, see the rejection of claims 39 and 42.

As to claim 45, see the rejection of claims 40 and 42.

As to claim 46, see the rejection of claims 41 and 42.

As to claim 60, claims 37, 39 and 40 covers claim 60 except for formatting the received transaction/transmitting the formatted transaction to a server and processing the transaction/preparing the result of the transaction.

Tagawa teaches the use of the Internet (Internet 108 Col. 9 Ln. 55 – 65) to communicate with the reservation center. This involves using a standard protocol (e.g. HTTP) to communicate with the reservation center. In using the Kiosk to request for services/communicate with the reservation center via the Internet, the request would have to be formatted using the Http standard protocol and transmitted to the reservation center that includes a receiving server (Col. 10 Ln. 17 – 41). Tagawa also teaches processing the transaction/preparing the result of the transaction (Col. 10 Ln. 17 – 41). It would have been obvious to apply the teaching of Tagawa to the system of Germain. One would have been motivated to make such modifications in order to issue documents for purchases and reservations made (Col. 9 Ln. 63 – 65).

As to claims 61, 63 and 66 see the rejection of claim 37.

As to claim 62, 64 and 65 see the rejection of claim 60.

As to claim 27, Although Tagawa does not explicitly teach plural servers, the regional reservation center includes components (Agents' Terminal 110, Accounting System 114 etc. Col. 10 Ln. 17 – 41) that could be implemented as servers.

As to claims 28, 29, 34 and 35 see the rejection of claim 60.

As to claim 9, claims 1 and 60 covers claim 9 except for a processor.

Tagawa teaches a Processor (CPU 78 Col. 9 Ln. 55 – 65).

As to claim 10, see the rejection of claim 2.

As to claims 11 and 12, see the rejection of claim 3.

As to claims 13 and 15, see the rejection of claim 4.

As to claim 14, Tagawa's system includes financial institution 104 that conducts credit card transactions as such the kiosk provides an automatic teller machine (Col. 9 Ln. 55 – 60).

As to claims 16 and 17, see the rejection of claim 60.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-5:30) First Friday off.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya
Examiner
Art Unit 2126

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